IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3430 OF 2005

Chandrakant Y. Pawar & Anr. ..Petitioners.

Versus

Godabai Balu & Ors. .. Respondents.

Mr. Nitin Ghaware & S. Mahadik for the Petitioners.

CORAM : S. A. BOBDE, J.

DATED : 27TH JUNE, 2005.

P.C.:

. Heard. The Petitioner has challenged the order of the Additional Commissioner, Pune in R.T.S./S/336/2000, in which the learned Addl. Commissioner has held that after the death of Smt. Sagubai, her daughter Narmadabai Pawar's name should not have been entered in mutation entry No. 238. This is so because Sagubai only had a life interest in the said property from Gnanoo B.Pawar. It is clear that this decision of the Addl. Commissioner is subject to the decision of the Civil Court. The

learned counsel for the petitioners states that admittedly the civil suit bearing No. 117/2001 and also Narmadabai’s Suit for title is pending before the Civil Court. The petitioners shall be at liberty to apply for mutation in accordance with the decision of the Civil Court.

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